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ATTORNEY FOR DEFENDANT  
JAVIER JIMENEZ GOMEZ

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

|                               |   |                          |
|-------------------------------|---|--------------------------|
| UNITED STATES OF AMERICA,     | ) | CR.NO.S-03-082-EJG       |
| PLAINTIFF,                    | ) | STIPULATION AND          |
| v.                            | ) | ORDER TO CONTINUE STATUS |
| JAIVER JIMENEZ GOMEZ, et al., | ) | CONFERENCE               |
| DEFENDANTS.                   | ) |                          |

Plaintiff, the United States of America, by its counsel, Assistant United States Attorney, Ms. Mary Grad, and defendant, JAIVER JIMENEZ GOMEZ, represented by Mr. James R. Greiner, hereby stipulate and agree that the status conference calendared for Friday, November 17, 2006, at 10:00 a.m., before the Honorable Senior District Court Judge, Edward J. Garcia, shall be continued to Friday, January 26, 2007, at 10:00 a.m..

Colleen Lydon, the Court's deputy clerk, was contacted by counsel to check the proposed date and the date of Friday, January 26, 2007, was open and available for the Court for a further status hearing date. No trial date has been set.

**SPEEDY TRIAL ACT-EXCLUSION OF TIME**

The parties agree and stipulate the Court can find an exclusion of time from the Speedy Trial Act, Title 18 U.S.C section 3161, et seq., based on the needs of counsel to prepare pursuant to Title 18 U.S.C. section 3161(h)(8)(B)(iv) and Local Code T-4; the parties stipulate and agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendants in a speedy trial, Title 18 U.S.C. § 3161(h)(8)(A); the parties agree and stipulate that the case, based upon the amount of discovery including but not limited to the wire taps and volume of tape recordings, is complex within the meaning of Title 18 U.S.C. section 3161(h)(8)(B)(ii), for the following factual reasons:

1-The government has provided to defense counsel during the week of October 2, 2006, 647 pages of hard discovery and 2 CD discs which are the wire tap interceptions which from the brief over view by defense counsel has easily over 1,000 telephone conversations on each of the CD's and each telephone conversation recording is of varying time durations. The hard copy discovery needs to be reviewed and reviewed with the client and each of the CD's that appears to have easily over 1,000 telephone calls on each CD needs to be reviewed and reviewed with the client.

Finally, James R. Greiner has been authorized by counsel for the government via telephone conference to sign this stipulation on her behalf.

Respectfully submitted,  
McGREGOR W. SCOTT  
UNITED STATES

/s/ MARY GRAD

DATED: 11-14-06

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MARY GRAD  
ASSISTANT UNITED STATES ATTORNEY  
ATTORNEYS FOR THE PLAINTIFF

1  
2  
3 DATED: 11-14-06

/s/ JAMES R. GREINER

4 JAMES R. GREINER  
ATTORNEY FOR DEFENDANT  
5 JAVIER JIMENEZ GOMEZ  
6

7 **ORDER**  
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9 **FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.**  
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12 DATED: NOVEMBER, \_15, 2006.  
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15  
16 /s/ Edward J. Garcia

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18 **EDWARD J. GARCIA**  
19 **UNITED STATES SENIOR**  
20 **DISTRICT COURT JUDGE**  
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